



JC10 Rec PCT/PTO 22 JUL 2005

Atty. Dkt. No. 063391-1106

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: ACTIVX BIOSCIENCES, INC.

Title: ACTIVITY-BASED PROBES  
AND METHODS OF THEIR  
PREPARATION AND USE

Appl. No.: 10/530,646

Filing Date: April 6, 2005

Examiner:

Art Unit:

<p><b>CERTIFICATE OF MAILING</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.</p> <p><u>Stephen E. Reiter</u></p> <p>(Printed Name)</p> <p><u>SEP E. L.</u></p> <p>(Signature)</p> <p><u>7/20/05</u></p> <p>(Date of Deposit)</p>
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**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment-IDS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

**RELEVANCE OF EACH DOCUMENT**

All of the documents are in English.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date

7/20/05

By

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Receipt date: 07/22/2005

10530646 - GAU: 1654

MODIFIED PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/530,646
				Filing Date	April 6, 2005
				First Named Inventor	David WINN
				Group Art Unit	
				Examiner Name	
Sheet 1 of 2				Attorney Docket Number	063391-1106

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	6,008,373		Waggoner et al.	12-28-1999	
	A2	6,127,134		Minden et al.	10-03-2000	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A3	WO	01/77668		The Scripps Research Institute	10-18-2001		
	A4	WO	01/77684		The Scripps Research Institute	10-18-2001		
	A5	WO	02/063271		Activx Biosciences, Inc.	08-15-2002		

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.		T <sup>6</sup>
	A6	BERGSEID, M. et al., "Small Molecule-Based Chemical Affinity System for the Purification of Proteins, Biotechniques." 29(5), 1126-1133, (2000)		
	A7	BRÖMME, et al. "Human Cathepsin V Functional Expression, Tissue Distribution, Electrostatic Surface Potential, Enzymatic Characterization, and Chromosomal Localization." <i>Biochemistry</i> 38: 2377-2385, (1999).		
	A8	CULL AND MCHENRY, "Preparation of Extracts from Prokaryotes." (in <u>Methods in Enzymology</u> , Volume 182, Guide to Protein Purification, edited by Murray P. Deutscher ) pp. 147-238, (1990).		
	A9	DANIEL, S. G. et al., "FastTag™ Nucleic Acid Labeling System: A Versatile Method for Incorporating Haptens, Fluorochromes and Affinity Ligands into DNA, RNA and Oligonucleotides." <i>Biotechniques</i> 24(3), 484-489, (1998)		
	A10	GOTTSCHLING et al., "Cellular Solid-Phase Binding Assay and Mass Spectrometry for Screening of $\alpha 4\beta 7$ Integrin Antagonists." <i>Bioorg. And Medicinal Chem. Lett.</i> 11: 2997-3000, (2001)		
	A11	GIBSON et al., "Nonpeptidic $\alpha \beta_3$ Integrin Antagonist Libraries: On-Bead Screening and Mass Spectrometric Identification without Tagging." <i>Angew. Chem. Int. Ed.</i> 40: 165-169, (2001)		

Examiner Signature	Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /TH/

Receipt date: 07/22/2005

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Sheet	2	of	2

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	A12	KIDD <i>et al.</i> , "Profiling Serine Hydrolase Activities in Complex Proteomes." <i>Biochemistry</i> 40: 4005-15, (2001)	
	A13	LEON <i>et al.</i> , "Evaluation of Resins for on-bead Screening: A Study of Papain and Chymotrypsin Specificity Using Pega-Bound Combinatorial Peptide Libraries." <i>Bioorg. Med. Chem. Lett.</i> 8: 2997-3002, (1998)	
	A14	ORAIN AND BRADLEY, "Solid phase synthesis of trypanothione reductase inhibitors -- towards single bead screening." <i>Tetrahedron Lett.</i> 42: 515-518, (2001)	
	A15	PAPANIKOS <i>et al.</i> , " $\alpha$ -Ketocarbonyl Peptides: A General Approach to Reactive Resin-Bound Intermediates in the Synthesis of Peptide Isoteres for Protease Inhibitor Screening on Solid Support." <i>J. Am. Chem. Soc.</i> 123: 2176-2181, (2001)	
	A16	PORCO, J.A., "Organic Synthesis Using Chemical Tags: The 'Third Leg' Parallel synthesis." <i>Comb. Chem. High Throughput Screening.</i> 3(2) 93-102 (2000)	
	A17	SMITH AND BRADLEY, "Comparison of Resin and Solution Screening Methodologies in Combinatorial Chemistry and the Identification of a 100 nM Inhibitor of Trypanothione Reductase." <i>J. Comb. Med.</i> 1: 326-332, (1999)	

Examiner Signature	/Thomas Heard/	Date Considered	12/12/2008
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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